

#8  
Dmt  
4-14-03USSN09/824,286  
Docket No. A006USCON

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

Examiner: Eileen B. O'Hara

Burkly et al.

Group Art Unit: 1646

Serial No.: 09/824,286 ✓

Filing Date: April 2, 2001

For: COMMON GAMMA CHAIN BLOCKING AGENTS

## CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the Commissioner for Patents, Washington, D.C. 20231 on:

April 10, 2003  
Date  
Jacqueline Marlier

## TERMINAL DISCLAIMER

Commissioner for Patents

Washington, D.C. 20231

Dear Sir:

I, Niki D. Cox, declare that I am the Attorney for Biogen, Inc., having its principle place of business at 14 Cambridge Center, Cambridge, MA 02142; the owner of the above-referenced application, as evidenced by the Assignment documents filed in U.S.S.N. 09/189,129 (now issued patent 6,323,027 B1) on November 27, 2001, recorded on April 4, 2001 at reel 011696, frame 0285, and that I am authorized to execute this terminal disclaimer on behalf of Biogen, Inc.

04/14/2003 DTHOMAS 00000002 022327 07824286  
01 FC:1814 ✓ 110.00 CH

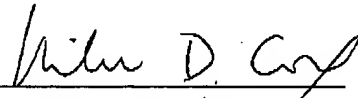
I further certify that I have reviewed the aforementioned Assignment document and believe, to the best of my knowledge, that title to the above-referenced patent application resides with the assignee, Biogen, Inc.

USSN09/824,286  
Docket No. A006USCON

Pursuant to 35 U.S.C. §253 and 37 C.F.R. §1.321, Biogen, Inc. hereby disclaims the terminal portion of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of U.S. Patent No. 6,323,027 B1, issued on November 27, 2001. Biogen, Inc. also hereby agrees that any patent granted on the present application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,323,027 B1. This terminal disclaimer applies to any patent granted on the present application and is binding upon the grantee, its successors or assignees.

Biogen, Inc. does not disclaim any terminal part of any patent granted on the present application prior to the expiration date of the full statutory term of U.S. Patent No. 6,323,027 B1 in the event that U.S. Patent No. 6,323,027 B1 expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutory disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.32(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer.

Signed this 10<sup>th</sup> day of April, 2003 by:



Niki D. Cox, Esq.  
Associate General Counsel,  
Intellectual Property  
Reg. No. 42, 446  
BIOGEN, INC.  
14 Cambridge Center  
Cambridge, MA 02142  
(617) 679-2079 (Direct)  
(617) 679-2838 (Facsimile)

13004

*Official EPT 4/10/03*

FACSIMILE COVER SHEET

**BIOGEN, INC.**  
Legal Department  
14 Cambridge Center  
Cambridge, MA 02142  
Tel: 617-679-2000  
Fax: 617-679-2838

**TO: Examiner Eileen B. O'Hara**

**Group Art Unit 1646**

**FAX NO: (703) 746-6901**

**FROM: Jacqueline Marlier**  
Patent Assistant to Niki D. Cox

**DATE SENT: April 10, 2003**

**RE: Terminal Disclaimer for U.S. Patent Application No.**  
**09/824,286**

**Message:**

**PLEASE FORWARD THIS FACSIMILE TO EXAMINER O'HARA AS  
SOON AS POSSIBLE**

*This facsimile is intended only for the use of the addressee and may contain legally  
privileged and confidential information. If you have received this communic*